

### **REMARKS**

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for indicating that claims 27, 28, 30, and 32-38 contain allowable subject matter.

#### **Disposition of Claims**

Claims 24-43 are pending in this application. Claim 24 has been amended to include the limitations of claim 30. Claim 25 has been withdrawn. Claim 30 has been canceled. Claim 24 is independent. The remaining claims depend, directly or indirectly, from claim 24.

#### **Objection(s)**

Claims 27, 28, 30, and 32-38 are objected to as being dependent upon a rejected base claim. Claim 24 has been amended to incorporate the limitations of allowable claim 30. Thus, claim 24 should be allowable. Claim 30 has been canceled. Claims 27, 28, and 32-38 depend, directly or indirectly, from amended claim 24. Thus, Applicant believes claims 27, 28, and 32-38 are allowable. To the extent that this rejection may still apply to the amended claims, the rejection is respectfully traversed.

#### **Rejection(s) under 35 U.S.C § 112**

Claim 39 stands rejected under 35 U.S.C. § 112 as indefinite. Applicant notes that independent claim 24 discloses shaping a *crest* of at least one chisel shaped milled tooth such that the *crest* comprises at least one convex profile. Claim 39 is directed to the

*end* of the at least one chisel shaped milled tooth, such that the *end* comprises at least one concave profile. The crest of the tooth comprises at least one convex profile, while the ends or flanks may have a depression or concave portion so that hardfacing material applied to the tooth results in a thicker area along the flanks or ends. Thus, Applicant believes claim 39 is definite and clearly points out and distinctly claims the subject matter which Applicant regards as the invention. This rejection is respectfully traversed.

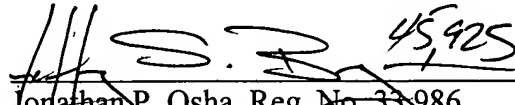
**Rejection(s) under 35 U.S.C § 103**

Claims 24-26, 29, 31, and 40-43 were rejected under 35 U.S.C. § 103 as obvious over U.S. Patent 3,003,370, issued to Coulter. Claim 24 has been amended in this reply to incorporate the limitation of claim 30, which was found allowable if rewritten in independent form. Claim 25 has been withdrawn. Claim 30 has been canceled. The remaining claims depend, directly or indirectly, from amended claim 24. To the extent that this rejection may still apply to the amended claims, the rejection is respectfully traversed.

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 05516/103002).

Respectfully submitted,

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